

FILED ON BEHALF OF THE PLAINTIFF
DEPONENT: MCGE No.1
Sworn: 3 June 2004

IN THE
UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT
OF NEW YORK

CASE NUMBER: 04 CV 3882

BETWEEN:

VAN WAGNER ENTERPRISES, LLC

PLAINTIFF

And

ALEXANDER BROWN

DEFENDANT

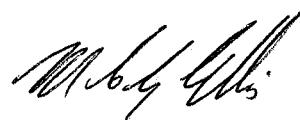
AFFIDAVIT OF MICHAEL CHRISTOPHER GERRARD ELLIS

**I, MICHAEL CHRISTOPHER GERRARD ELLIS OF 1 UNDERSHAFT,
LONDON, EC3A 8LP, STATE ON OATH AND SAY AS FOLLOWS:-**

1. **THAT** I am a solicitor in the firm of Dewey Ballantine of 1 Undershaft, London, EC3A 8LP
2. **THAT** I am the Plaintiff's authorised agent for the service of proceedings in this matter in England.
3. **I make** this affidavit from matters within my own knowledge.
4. **I did** at 14.03 hours on the 1st day of June 2004 duly serve the documents, copies now shown, annexed hereto and marked 'MCGE1' on Mr. Alexander Brown, 34 Devonshire Place Mews, London, England W1G 6DB by inserting the same in the letterbox at 34 Devonshire Place Mews, London, England W1G 6DB.

SWORN at 1 Undershaft, London, EC3A 8LP
this 3 day of June 2004

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)



Before me



SOLICITOR

CERTIFICATE - ATTESTATION

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention
L'autorite soussignée a l'honneur d'attester conformement a l'article 6 de ladite Convention.

1) that the document has been served the (date) 2nd day of June 2004
que le demande a ete executee le (date)

-at (place, street, number) 34 Devonshire Place Mews, London W1G 6DB
-a (localite, rue, numero)

- in one of the following methods authorised by article 5:

-dans une des formes suivantes prevues a l'article 5:

a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the convention

selon les formes legales (article 5, alinea premier, lettre a)

✓ b) in accordance with the following particular method
selon la forme particuliere suivante

By insertion of the documents in the letterbox at 34 Devonshire Place Mews, London W1G 6DB.

c) by delivery to the addressee, who accepted it voluntarily
par remise simple

The documents referred to in the request have been delivered to: Mr. Alexander Brown

Les documents mentionnes dans la demande ont ete remis a:

- (identity and description of person)

- (identite et qualite de la personne)

- relationship to the addressee (family, business or other)

- liens de parente de subordination ou autres avec

le desinataire de l'acts

2) that the document has not been served, by reason of the following facts:

que la demande n'a pas ete executee, en raison des faits suivants:

~~in conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay the expenses details in the attached statement.~~

~~Conformement a l'article 12, alinea 2 de ladite Convention, le requerant est prie de payer ou de rembourser les frais dont le detail figure au memoire ci-joint~~

Annexes

Documents returned

Pieces renvoyees

in appropriate cases, documents

establishing the service:

le cas echeant, les documents

justicatifs de l'execution:



Done at London
fait a

the 3 June, 2004
le

Signature and/or stamp:
Signature et/ou cachet:

